

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 10,840

IN THE MATTER OF:

Served October 19, 2007

BEST CHOICE TRANSPORTATION, INC.,)
Suspension and Investigation of,)
Revocation of Certificate No. 1245)

Case No. MP-2007-147

This matter is before the Commission on respondent's response to Order No. 10,613, served July 9, 2007

Under the Compact, a WMATC carrier may not engage in transportation subject to the Compact if the carrier's certificate of authority is not "in force."¹ A certificate of authority is not valid unless the holder is in compliance with the Commission's insurance ~~zequd rement e~~."

Commission Regulation No. 58 requires respondent to insure the revenue vehicles operated under Certificate No. 1245 for a minimum of \$1.5 million in combined-single-limit liability coverage and maintain on file with the Commission at all times proof of coverage in the form of a WMATC Certificate of Insurance and Policy Endorsement (WMATC Insurance Endorsement) for each policy comprising the minimum.

Certificate No. 1245 was rendered invalid on March 1, 2007, when the \$1.5 million primary WMATC Insurance Endorsement on file for respondent terminated without replacement. Order No. 10,613 noted the automatic suspension of Certificate No. 1245 pursuant to Regulation No. 58-02, directed respondent to cease transporting passengers for hire under Certificate No. 1245, and gave respondent thirty days to replace the cancelled endorsement and pay the \$50 late fee due under Regulation No. 67-03(c) or face revocation of Certificate No. 1245.

Respondent paid the \$50 late fee on October 10 and submitted a \$1.5 million primary WMATC Insurance Endorsement on August 3, 2007. The effective date of the new endorsement is July 23, 2007. This means that respondent was without insurance coverage for one hundred forty-four days, from March 1, 2007, through July 22, 2007.

Under Commission Rule No. 28, respondent is required to verify that it ceased transporting passengers for hire under Certificate No. 1245 as directed by Order No. 10,613. We will give respondent thirty days to verify that it ceased operations as of March 1, 2007. Inasmuch as respondent's only tariff is for service rendered to clients of the District of Columbia Department of Health, Medical

¹ Compact, tit. II, art. XI, § 6(a). ²

Compact, tit. II, art. XI, § 7(g).

Assistance Administration (DC Medicaid), such proof shall include confirmation from DC Medicaid.³

THEREFORE, IT IS ORDERED:

1. That within thirty days from the date of this order, respondent shall verify it ceased all operations in the Metropolitan District as of March 1, 2007.

2. That within thirty days from the date of this order, respondent shall submit confirmation from DC Medicaid that respondent ceased operations as of March 1, 2007.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS YATES AND CHRISTIE:

A handwritten signature in black ink, appearing to read 'W. S. Morrow, Jr.', is positioned above the printed name.

William S. Morrow, Jr.
Executive Director

³See *In re Calistus T. Folem, t/a Abang Health Transp.*, No. MP-07-113, Order No. 10,653 (July 24, 2007) (requiring DC Medicaid confirmation) .